

VIRGINIA:

IN THE CIRCUIT COURT OF THE CITY OF RICHMOND

BRIAN P. ALLMAN )  
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Email; Brianpallman@aol.com )  
)

*Petitioner*, )  
v. ) Case No: CL19-3972-A  
)

THE VIRGINIA DEPARTMENT OF ELECTIONS )  
SERVE: The Honorable Mark Rankin Herring )  
Attorney General )  
The Commonwealth of Virginia )  
Office of the Attorney General )  
202 North Ninth Street )  
Richmond City, Virginia 23219 )  
Telephone: (804) 786-2071 )  
)

CHRISTOPHER E. PIPER )  
in his official capacity as the Commissioner of the )  
Virginia Department of Elections )  
Washington Building )  
1100 Bank Street, First Floor )  
Richmond, Virginia 23219 )  
)

THE VIRGINIA STATE BOARD OF ELECTIONS; )  
SERVE: The Honorable Mark Rankin Herring )  
Attorney General )  
The Commonwealth of Virginia )  
Office of the Attorney General )  
202 North Ninth Street )  
Richmond City, Virginia 23219 )  
Telephone: (804) 786-2071 )  
)

ROBERT H. BRINK, ESQ, CHAIRMAN )  
in his official capacity as a member of the )  
Virginia State Board of Elections )  
Washington Building )  
1100 Bank Street, First Floor )  
Richmond, Virginia 23219 )  
 )  
JOHN O'BANNON, MD, VICE CHAIRMAN )  
in his official capacity as a member of the )  
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Washington Building )  
1100 Bank Street, First Floor )  
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JAMILAH D. LECRUISE, ESQ, SECRETARY )  
in her official capacity as a member of the )  
Virginia State Board of Elections )  
Washington Building )  
1100 Bank Street, First Floor )  
Richmond, Virginia 23219 )  
 )  
*Respondents.* )  
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**VERIFIED COMPLAINT FOR DECLARATORY  
AND INJUNCTIVE RELIEF**

**AND**

**PETITION FOR WRIT OF MANDAMUS**

TO THE HONORABLE CIRCUIT COURT JUDGES OF THE CITY OF RICHMOND;

Petitioner, Brian P. Allman, *pro se*, for his verified complaint for declaratory and injunctive relief and petition for writ of mandamus, respectfully alleges the following:

**NO OTHER LEGAL REMEDY**

1. Petitioner Allman respectfully alleges that he does not have another legal remedy other than to file this instant action before this Honorable Court.

## INTRODUCTION

2. This instant action surrounds the felonious activities of the democratic nominee for Sheriff of the County of Loudoun, Justin P. Hannah, hereinafter referred to as "Mr. Hannah", specifically when he submitted, on March 26, 2019, his "*State and Local Statement of Economic Interest*" to the Virginia Board of Elections, after he made the following written affirmation;

**'I SWEAR OR AFFIRM THAT THE INFORMATION PROVIDED ON THIS STATEMENT IS FULL, TRUE, AND CORRECT TO THE BEST OF MY KNOWLEGDE'.**

3. The law in this Commonwealth is crystal clear, as is the warning/penalty on the State and Local Statement of Economic Interests" which reads;

**"ANY FILER WHO KNOWINGLY AND INTENTIONALLY MAKES A FALSE STATEMENT OF A MATERIAL FACT ON THE STATEMENT OF ECONOMIC INTERESTS IS GUILTY OF A CLASS 5 FELONY".**

4. On June 11th, 2019, Mr. Hannah won the primary election in the County of Loudoun and has been certified as the Democratic nominee for Sheriff by the Virginia State Board of Elections.

5. Mr. Hannah will now face incumbent Republican Sheriff Chapman on November 5<sup>th</sup>, 2019 unless this Honorable Court enjoins Mr. Hannah's name from appearing on the ballot for the 2019 general election, which is November 5<sup>th</sup>, 2019.

6. Petitioner Allman brings this instant action before this Honorable Court to ensure that the promise of honest and fair elections in this Commonwealth is properly enforced, and that the integrity of elections in this Commonwealth is maintained and voter trust in the system bolstered rather than seriously eroded. Petitioner Allman seeks to protect his rights from the serious, irreparable harm that will occur if the respondents, this

Commonwealth's chief election authorities, do not immediately act to address evidence of serious fraud and felonies activities of Mr. Hannah and his qualification process for the upcoming election for Sheriff of the County of Loudoun on November 5<sup>th</sup>, 2019.

7. The respondents are the gatekeepers of this Commonwealth's democratic process, and have a duty to ensure that the only candidates who appear on this Commonwealth's ballots are those who have met the minimum ballot access qualifications under Virginia law. Respectfully, the respondents, in this instant action have a clear duty to revisit and reverse their decision to qualify Mr. Hannah's candidacy and to take all appropriate action to ensure that the fraud, and the felonies activities that permeates Mr. Hannah's process does not taint the election on November 5<sup>th</sup>, 2019. The County of Loudoun is free to begin printing ballots for the November 5<sup>th</sup>, 2019 election at any time, and because the deadline for printing ballots is quickly approaching, immediate injunctive relief is appropriate and necessary to protect voters, and well as the petitioner from serious irreparable harm.

8. To this end, petitioner Allman seeks declaratory and injunctive relief and a writ of mandamus. Specifically, petitioner Allman asks this Honorable Court to ensure the integrity of the democratic process and to prevent serious and irreparable injury to the petitioner, as well as every voter in the County of Loudoun by;

a) striking Mr. Hannah's March 26, 2019, *State and Local Statement of Economic Interest*" submitted to the Virginia Board of Elections as not being FULL, TRUE, AND CORRECT as required, pursuant to the laws of this Commonwealth and thus, it is invalid;

- b) enjoining the respondents from qualifying Mr. Hannah as the Democratic nominee for Sheriff of the County of Loudoun;
- c) enjoining the respondents, and their agents, officers, and employees, and any other person who acts in concert therewith, from printing Mr. Hannah's name on ballots for the November 5<sup>th</sup>, 2019 general elections in the County of Loudoun;
- d) referring Mr. Hannah's actions to the Bureau of Criminal Investigations of the Virginia State Police and;
- e) order any other relief this Honorable Court deems just.

### **JURISDICTION AND VENUE**

- 9. This Honorable Court has jurisdiction to grant declaratory and injunctive relief under the Virginia Declaratory Judgment Act, section 8.01-184, 1950 Code of Virginia, as amended.
- 10. This Honorable Court has jurisdiction to hear petitioner Allman's Petition for Writ of Mandamus pursuant to section 17.1-131, 1950 Code of Virginia, as amended.
- 11. This Honorable Court also has jurisdiction under section 17.1-513, 1950 Code of Virginia, as amended.
- 12. Venue is appropriate under section 8.01-261(2), 1950 Code of Virginia because this is an action against one or more officers of the Commonwealth in their official capacity, each of whom has official offices within the jurisdictional limits and boundaries of this Honorable Court.

### **PARTIES**

- 13. Petitioner Allman is a citizen of this great Commonwealth and resides within the jurisdictional limits and boundaries of the County of Loudoun.

14. Respondent, the Virginia Department of Elections is responsible for processing petitions for candidacy in this Commonwealth. The Virginia Department of Elections is located with the jurisdictional limits and boundaries of this Honorable Court.

15. Respondent, Christopher E. Piper is named in his official capacity as the Commissioner of the Virginia Department of Elections. Commissioner Piper was appointed by the Governor of this Commonwealth and is responsible for employing and overseeing the personnel required to carry out the duties imposed by the Virginia Department of Elections. Respondent, Christopher E. Piper is located within the jurisdictional limits and boundaries of this Honorable Court.

16. Respondent Virginia State Board of Elections is responsible for supervising and coordinating the work of the County of Loudoun electoral board and their registrar, Judith Brown. Part of the Loudoun County's register's duties and responsibilities is to ensure that candidates are qualified and that the candidates have complied with the laws of this great Commonwealth. The Virginia State Board of Elections main office is within the jurisdictional limits and boundaries of this Honorable Court.

17. Respondents Robert H. Brink, John O'Bannon and Jamilah D. Lecruise are named in their official capacities as members of the Virginia State Board of Elections and are located with the jurisdictional limits and boundaries of this Honorable Court.

## **FACTS**

18. At all times herein, Mr. Hannah is a resident of the County of Loudoun.

19. At all times herein, Mr. Hannah was gainfully employed.

20. At all times herein, Mr. Hannah publicly claims that he is an "army reserve intelligence officer" and a "Captain" in the United States Army Reserves.

21. At all times herein, Mr. Hannah publicly claims that he is an investigative analyst in the Department of Defense and commander of a military intelligence in the Army Reserve where he supervises 110 personnel and a budget upwards of \$3 million.

22. At all times herein, Mr. Hannah publicly claims; "Currently, Justin is in command of a unit with direct ties to policing. He commands a unit that is the only of its kind in the U.S. Army. It has the unique role of providing rule of law support on foreign countries where they are stationed".

23. At all times herein, Mr. Hannah publicly claims; "Since being discharged from active duty, Justin has remained in the reserves".

24. At all times herein, Mr. Hannah publicly claims that he started a new job in January with the Pentagon Force Agency, Department of Defense.

25. At all times herein, Mr. Hannah had civil judgments entered against him in the District Court of Loudoun County.

26. On March 26, 2018, Mr. Hannah's home owners association, Virginia Manor Condominium Association obtained a civil default judgment against him in the District Court of Loudoun County for \$1,369.00 with six percent interest, per annum.

27. On April 23, 2018, Mr. Hannah's home owners association, Virginia Manor Condoium Association obtained another civil judgment against him in the District Court of Loudoun County for \$3,814.00.

28. On March 19<sup>th</sup>, 2019, Mr. Hannah's home owners association, Virginia Manor Condominium Association, for the 3<sup>rd</sup> time, filed another lawsuit against him in the District Court of Loudoun County seeking another judgment. This time, in the amount of \$4,559.60.

29. On January 22, 2019, Mr. Hannah filed his required Statement of Organization to run for Sheriff of Loudoun County with the Virginia State Board of Elections.

30. On March 21, 2019, Mr. Hannah filed his Certificate of Candidate Qualification - Local Offices with the Virginia State Board of Elections.

31. On March 26, 2019, Mr. Hannah filled out the required State and Local Statement of Economic Interests with the Virginia State Board of Elections (Exhibit #1) noting that any candidate, under Virginia law, who does not fill out, swear under penalty of perjury to the information provided and file the statement with the Virginia State Board of Elections does not meet the qualifications for candidate for any elected office in this Commonwealth and will not be certified as a candidate by the Virginia State Board of Elections.

32. Prior to signing and filing his State and Local Statement of Economic Interests with the Virginia State Board of Elections (Exhibit #1 herein), Mr. Hannah was informed, in writing that;

**"Any filer who knowingly and intentionally makes a false statement of a material fact on the Statement of Economic Interests is guilty of a Class 5 felony".**

33. Prior to signing and filing his State and Local Statement of Economic Interests with the Virginia State Board of Elections (Exhibit #1 herein), Mr. Hannah was informed, in writing that;

**AFFIRMATION; I swear or affirm that the information provided on this statement is full, true, and correct to the best of my knowledge".**

34. On March 26, 2019, despite the two previous written warnings in the State and Local Statement of Economic Interests, Mr. Hannah executed the State and Local

Statement of Economic Interests under penalty of perjury.

35. On March 27, 2019, Mr. Hannah filed his executed and sworn State and Local Statement of Economic Interests with the Virginia State Board of Elections specifically Mrs. Brown. Mrs. Brown received and accepted Mr. Hannah's State and Local Statement of Economic Interests at 10:30 a.m. (Exhibit #1)

36. Mrs. Brown never reviewed Mr. Hannah's State and Local Statement of Economic Interests and simply certified him as an official candidate to appear on the ballot - June 11, 2019 **based solely on Mr. Hannah's sworn affirmation!**

37. Had Mrs. Brown reviewed Mr. Hannah's State and Local Statement of Economic Interests in detail, Mrs. Brown would have rejected it.

38. At all times herein, Mr. Hannah was gainfully employed and was required, under Virginia law, to disclose his employers, location, position held, by whom and to check whether office or directorship or employment. **Mr. Hannah did none of the above!**

39. Wanting to hide his employment from creditors from judicial judgments already entered against him as well as from the public, Mr. Hannah knowingly and intentionally made a false statement of a material fact on his State and Local Statement of Economic Interests form and thus committed a Class 5 felony when he checked "NO" to question #2 which read;

**"Do you or a member of your immediate family receive salary or wages in excess if \$5,000 annually from any employer? (Exhibit #1, page 5)**

40. Wanting to hide his personal judgments from the public, Mr. Hannah knowingly and intentionally hid the two judicial judgments entered against him by the District Court of the County of Loudoun which totaled more than \$5,000.00 and were owed to the same

creditor. Mr. Hannah was required, under Virginia law, to disclose his judgments on Schedule B of his State and Local Statements of Economic Interests for Mr. Hannah swore and affirmed that the information provided on this statement is full, true and correct.

41. In another willful and deliberate attempt to hid from his creditors and from the public, Mr. Hannah failed to check yes or no to Schedule C - Securities. This is the section where a candidate must state stocks, bonds, mutual funds and other securities owned. Nothing could be further from the truth. Mr. Hannah committed the crime of perjury.

42. On page 12 of Mr. Hannah's State and Local Statement of Economic Interest, without checking yes or no to the required question before, Mr. Hannah lists "Mutual Funds" held by Wells Fargo. However, Mr. Hannah willfully and deliberately failed to check the value of the security.

43. Because Mr. Hannah committed a Class 5 felony by knowingly and intentionally making a false statement of a material fact on his State and Local Statement of Economic Interests and furthermore committing the crime of perjury when he swore and affirmed that the information on this statement is full, true and correct to the best of his knowledge, Mr. Hannah failed to meet the minimum statutory requirements to run for public office and thus, is not qualified to appear on the general election ballot as the democratic nominee for Sheriff of the County of Loudoun on November 5<sup>th</sup>, 2019.

44. **"I SWEAR OR AFFIRM THAT THE INFORMATION PROVIDED ON THIS STATEMENT IS FULL, TRUE, AND CORRECT TO THE BEST OF MY KNOWLEGDE".**

is what Mr. Hannah swore to in his State and Local Statement of Economic Interests forms knowing that they were certainly not full, true and correct. Mr. Hannah did not list his employers, all of his debts and all of the stocks that he owns.

45. Mr. Hannah left items blank which he, as a candidate for public office in this Commonwealth is not permitted to do.

46. Petitioner's investigation of Mr. Hannah revealed that Mr. Hannah was gainfully employed;

- a) for his LinkedIn page stated that he was; "a "watch officer" at TSA and had worked for 1.5 years at the National Geospatial Intelligence Agency";
- b) publicly claimed that he is an "army reserve intelligence officer" and a "Captain" in the United States Army Reserves";
- c) publicly claimed that he is an investigative analyst in the Department of Defense and commander of a military intelligence in the Army Reserves where he supervises 110 personnel and a budget upwards of \$3 million.
- d) publicly claimed; "Currently, Justin is in command of a unit with direct ties to policing. He commands a unit that is the only of its kind in the U.S. Army. It has the unique role of providing rule of law support on foreign countries where they are stationed";
- e) publicly claimed; "Since being discharged from active duty, Justin has remained in the reserves";
- f) publicly claimed that he started a new job in January with the Pentagon Force Agency, Department of Defense.

47. Petitioner discovered that Mr. Hannah works for a company called - Advantage SCI.

48. On July 10, 2019, petitioner called Advantage SCI, which is located 1726 Duke Street, #500, Alexandrian, Virginia 22314, Telephone number - (703) 299-9750 looking to speak with Mr. Hannah.

49. When a female answered the telephone at Advantage SCI, the following conversation took place;

Petitioner; "Justin Hannah please".

Advantage SCI; "He is not at this office. Do you have his direct line or email address?".

Petitioner; "No, this is the only telephone number I have for him".

Advantage SCI; "I am sorry, I can't help you".

50. Petitioner's investigation also revealed that Mr. Hannah is a Captain in the Army Reserves and goes to the Army Reserve Center in Willow Grove, Pennsylvania.

51. When petitioner informed Margie Grimes that Mr. Hannah's forms were incomplete, she stated to me;

"We only go from the first page where it was sworn to. We do not check the forms".

52. Petitioner subsequently spoke to Mrs. Brown, the registrar for the County of Loudoun who told the petitioner that;

- a) she personally accepted the State and Local Statement of Economic Interests forms from Mr. Hannah;
- b) she looked at the first page and saw that Mr. Hannah had sworn to the document and accepted it since it had been sworn too;

53. Unless Mr. Hannah qualifications are reversed and the respondents are restrained or enjoined, election ballots in the County of Loudoun on November 5<sup>th</sup>, 2019 will include Mr. Hannah's name for election of Sheriff in clear and willful violation of Virginia law. Ballots will be printed soon! Thus, this petitioner respectfully requests immediate judicial relief, whether in the form of a temporary injunction or a writ of mandamus or both, from this Honorable Court for it is proper, necessary and appropriate.

54. Petitioner has attached his sworn affidavit to his complaint. (Exhibit #2)
55. Petitioner has no adequate remedy at law.

### **PRAYER FOR RELIEF**

56. WHEREFORE petitioner Allman prays that this Honorable Court will enter an Order;
  - a) striking Mr. Hannah's March 26, 2019, *State and Local Statement of Economic Interest*" submitted to the Virginia Board of Elections as not being **FULL, TRUE, AND CORRECT** as required pursuant to the laws of this Commonwealth and thus, it is invalid;
  - b) enjoining the respondents from qualifying Mr. Hannah as the Democratic nominee for Sheriff of the County of Loudoun for the November 5<sup>th</sup>, 2019 election;
  - c) enjoining the respondents, and their agents, officers, and employees, and any other person who acts in concert therewith, from printing Mr. Hannah's name on ballots for the November 5<sup>th</sup>, 2019 general elections in the County of Loudoun;
  - d) referring Mr. Hannah's action to the Bureau of Criminal Investigations of the Virginia State Police and;
  - e) order any other relief this Honorable Court deems just.

### **PETITION FOR WRIT OF MANDAMUS**

In addition, petitioner Allman, and pursuant to the authority detailed herein, hereby petition this Honorable Court for the issuance of a writ of mandamus directed to the respondents, and in support thereof states the following;

57. Petitioner Allman incorporates by reference each of the allegations contained in the foregoing paragraphs of this Verified Complaint as though set forth fully herein.

58. Petitioner Allman has a clear right to the relief he respectfully seeks.

59. Respondents have a legal duty to ensure that only the names of candidates who meet the requirements under Virginia law are placed on ballots in this Commonwealth. This duty flows both generally from their oath as officers of the Commonwealth of Virginia to obey the Constitution of the United States and the Constitution of the Commonwealth of Virginia and from their position as the Commonwealth's elections officials who "shall supervise and coordinate the work of the county and city electoral boards and of the registrars to obtain uniformity in their practices and proceedings and legality and purity in all elections and who "*shall....promote the proper administration of election laws*", citing section 24.2-203, 1950 Code of Virginia, as amended.

60. Among those election laws which the respondents are charged with enforcing is section 24.2-504, 1950 Code of Virginia, as amended, which states that "*only a person fulfilling all of the requirements of a candidate shall have his name printed on the ballot for the election*" and that a candidate shall not be printed upon any official ballots provided for the election unless he has legally satisfied the minimum requirements for office.

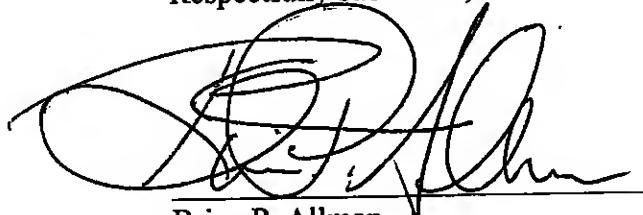
61. Clearly Mr. Hannah has not met the minimum requirements for office and he clearly and willfully committed a Class 5 felony when he signed, under penalty of perjury his *State and Local Statement of Economic Interest*" form submitted to the Virginia Board of Elections for it was not FULL, TRUE, AND CORRECT as required, pursuant to the laws of this Commonwealth and thus, it is invalid!

62. Petitioner has no adequate remedy at law.

## PRAYER FOR RELIEF

WHEREFORE, petitioner Allman respectfully requests that this Honorable Court hear this action pursuant to section 17.1-131, 1950 Code of Virginia, as amended and grant a writ of mandamus ordering the respondents to, in compliance with their duties under section 24.2-103 and section 24.2-504, 1950 Code of Virginia, as amended, not permit Mr. Hannah's name to appear on the ballot for Sheriff of the County of Loudoun on November 5<sup>th</sup>, 2019 for "*it is not merely of some importance, but is of fundamental importance that justice should not only be done, but should manifestly and undoubtedly be seen to be done*" to quote verbatim, Lord Chief Justice Hewart.

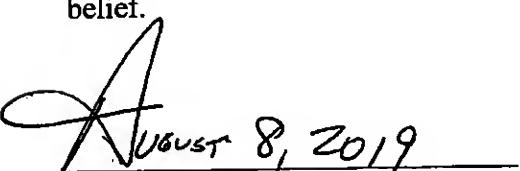
Respectfully submitted,

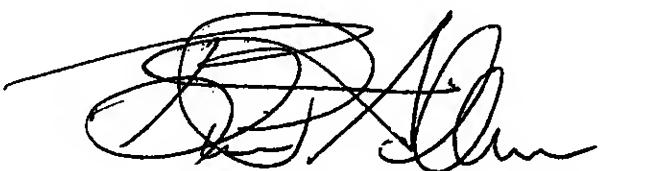


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## VERIFICATION

Pursuant to section 8.01-4.3, 1950 Code of Virginia, as amended, I verify under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

  
Date



Brian P. Allman